

BANK OF AMERICA, N.A.,)	
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Plaintiff(s),)	Case No. 2:15-cv-00860-JCM-NJK
)	
vs.)	ORDER DENYING PROPOSED
)	DISCOVERY PLAN
PREMIER ONE HOLDINGS, INC., et al.,)	
)	
Defendant(s).)	
)	

[Proposed joint discovery plans] shall state the date the first defendant answered or otherwise appeared, the number of days required for discovery measured from the date the first defendant answers or otherwise appears, and shall give the calendar date on which discovery will close. Unless otherwise ordered, discovery periods longer than one hundred eighty (180) days from the date the first defendant answers or appears will require special scheduling review[.]

Local Rule 26-1(e)(1). The parties’ proposed joint discovery plan first runs afoul of Rule 26-1(e) by failing to state when Defendant answered or appeared. Docket No. 35 at 2. Here, the first defendant appeared by filing a motion to dismiss on June 19, 2015. Docket No. 16. Second, and more importantly, the parties assert that they only “seek reasonable time” to conduct discovery; however, they request a discovery period of 381 days. Docket No. 35 at 3. The presumptively reasonable discovery period is 180 days. *See, e.g.*, Local Rule 26-1(e)(1).

1 The first reason the parties give for exceeding the presumptively reasonable discovery period is
2 that counsel are all litigating many similar lawsuits. *See* Docket No. 35 at 2. As the Court has
3 previously explained numerous times, that is not good reason to extend the discovery period. *See, e.g.,*
4 *Nationstar Mortgage LLC v. Aurora Canyon Homeowners Association*, Case No.2:15-cv-1308-MMD-
5 NJK (D. Nev. Aug. 21, 2015) (Docket No. 26) (citing *Greene v. Alhambra Hosp. Med. Ctr.*, 2015 U.S.
6 Dist. Lexis 72697, *3 (D. Nev. June 3, 2015)). Second, the parties assert additional time is warranted
7 because motions to dismiss are pending. However, the pendency of a motion to dismiss does not in
8 itself warrant a longer discovery period. *See Tradebay, LLC v. eBay, Inc.*, 278 F.R.D. 597, 600 (D.
9 Nev. 2011). Indeed, the Local Rules are written to make clear that the presumptively reasonable
10 discovery period is 180 days from the date the first defendant “answers or *appears*.” *See* Local Rule
11 26-1(e)(1) (emphasis added).

12 Accordingly, the proposed discovery plan is hereby DENIED without prejudice. The parties are
13 ordered, no later than November 5, 2015, to file a proposed joint discovery plan that either (1) is based
14 on the 180-day reasonable period outlined in Local Rule 26-1, or (2) provides an adequate explanation
15 why a longer period should be granted.

16 IT IS SO ORDERED.

17 DATED: October 29, 2015

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21 NANCY J. KOPPE
22 United States Magistrate Judge
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